

OFFICIAL GAZETTE

GOVERNMENT OF GOA

GOVERNMENT OF GOA

Department of Personnel

Notification

1/10/84-PER

In exercise of the powers conferred by the proviso to Article 309 of the Constitution, and in supersession of the existing recruitment rules for the posts, the Governor of Goa hereby makes the following rules relating to recruitment to the Group 'D', Non-Ministerial, Non-Gazetted post in the Office of the Resident Commissioner, New Delhi, under Government of Goa, namely:—

1. Short title, application and commencement:—

(1) These rules may be called the Government of Goa, Office of the Resident Commissioner, Group 'D', Non-Ministerial, Non-Gazetted post, Recruitment Rules, 1992.

(2) *Application.*—These rules shall apply to the posts specified in Column 1 of the Schedule to these rules (hereinafter called as the "said Schedule").

(3) They shall come into force from the date of publication in the Official Gazette.

2. Number, classification and scales of pay.—The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule:

Provided that the Government may vary the number of posts in Column 2 of the said Schedule from time to time subject to exigencies of work.

3. Method of recruitment, age limit and other qualifications.—The method of recruitment to the said posts, age limit, qualifications and other matters connected therewith shall be as specified in Columns 5 to 13 of the said Schedule.

4. Disqualification.—No person who has entered into or contracted a marriage with a person having a spouse living or who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the service:

Provided that the Government may if satisfied that such marriage is permissible under the personal Law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. Power to relax.—Where the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing relax any of the provisions of these rules with respect to any class or category of persons.

6. Saving.—Nothing in these rules shall affect reservation, relaxation of age limit and other concessions required to be provided for Scheduled Castes, and other special categories of persons in accordance with the orders issued by the Government from time to time in that regard.

By order and in the name of the Governor of Goa.

S. V. Shirodkar, Under Secretary (Personnel).

Panaji, 4th December, 1992.

SCHEDULE

Name/ Designation of post	Number of posts	Classi- fication	Scale of pay	Whether Selection post or non- Selection post	Age limit for direct recruits	Whether the benefit of added years of service is admissi- ble under Rule 30 of CCS (Pension) Rules, 1972	Educational and other qualifications required for direct recruits	Whether age & edu- cational qualifica- tions pres- cribed for the direct recruits will apply in the case of promotees	Period of pro- bation if any	Method of recruitment whe- ther by direct recruitment or by promotion or by deputation/trans- fer/contract and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/deputa- tion/transfer, grades from which promo- tion/deputation/ transfer is to be made	If a D.P.C. exists, what is its com- position	Circums- tances in which Goa Public Service Commission is to be consulted in making recruitment
1	2	3	4	5	6	6(a)	7	8	9	10	11	12	13
Assistant Cook	1	Group 'D' (1992) (Non-Mi- subject nisterial, to va- Non-Ga- riation zatted)	Rs. 750-12 -870- -EB- -14- -940.	Selection	Not excee- ding 35 years (Re- laxable to Govern- ment ser- vants upto 5 years in accor- dance with the instruc- tions or orders issued by the Govern- ment)	—	<i>Essential:</i> (i) Literate, ability to speak Hindi and Konkani/Marathi. (ii) Should know to prepare Goan dishes. (iii) Experience in ho- tel/ restaurant/ /catering esta- blishment of one year in Goa.	N. A.	2 years	By direct recruit- ment	N. A.	Group 'D' D.P.C. con- sisting of:- i) Joint Secre- tary (Person- nel) -Chair- man. ii) Under Secre- tary (G.A.) -Mem- ber. iii) Officer nomi- nated by the Princi- pal, Ca- tering Colle- ge/Food Craft Insti- tute -Mem- ber.	N. A.

Law (Legal and Legislative Affairs) Department

Notification

10-2-92/LA

The Representation of the People (Amendment) Act, 1992 (Central Act 2 of 1992) which has been passed by Parliament and assented to by the President of India on 26-3-1992 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 26-3-1992, is hereby published for the general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 30th July, 1992.

The Representation of the People (Amendment) Act, 1992

AN

ACT

further to amend the Representation of the People Act, 1951.

Be it enacted by Parliament in the Forty-third Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Representation of the People (Amendment) Act, 1992.

(2) It shall be deemed to have come into force on the 4th day of January, 1992.

2. *Substitution of new section for section 52.*—In the Representation of the People Act, 1951 (hereinafter referred to as the principal Act), for section 52, the following section shall be substituted, namely:—

“52. *Death of candidate before the poll.*—If a candidate, set up by a recognised political party,—

(a) dies at any time after 11 A.M. on the last date for making nominations and his nomination is found valid on scrutiny under section 36; or

(b) whose nomination has been found valid on scrutiny under section 36 and who has not withdrawn his candidature under section 37, dies, and in either case, a report of his death is received at any time before the publication of the list of contesting candidates under section 38; or

(c) dies as a contesting candidate and a report of his death is received before the commencement of the poll,

the returning officer shall, upon being satisfied about the fact of the death of the candidate, by order, countermand the poll and report the fact to the Election Commission and also to the appropriate authority and all proceedings with reference to the election shall be commenced anew in all respects as if for a new election:

Provided that no order for countermanding a poll should be made in a case referred to in clause (a)

except after the scrutiny of all the nominations including the nomination of the deceased candidate:

Provided further that no further nomination shall be necessary in the case of a person who was a contesting candidate at the time of the countermanding of the poll:

Provided also that no person who has given a notice of withdrawal of his candidature under sub-section (1) of section 37 before the countermanding of the poll shall be ineligible for being nominated as a candidate for the election after such countermanding.

Explanation.—For the purposes of this section, “recognised political party” means a political party recognised by the Election Commission under the Election Symbols (Reservation and Allotment) Order, 1968.

3. *Repeal and Saving.*—(1) The Representation of the People (Amendment) Ord. 1 of Ordinance, 1992, is hereby repealed. 1992.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

Notification

10-2-92/LA

The Parliament (Prevention of Disqualification) Amendment Act, 1992 (Central Act 20 of 1992) which has been passed by Parliament and assented to by the President of India on 17-5-1992 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 17-5-1992, is hereby published for the general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 4th August, 1992.

The Parliament (Prevention of Disqualification) Amendment Act, 1992

AN

ACT

further to amend the Parliament (Prevention of Disqualification) Act, 1959.

Be it enacted by Parliament in the Forty-third Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Parliament (Prevention of Disqualification) Amendment Act, 1992.

2. *Amendment of section 3.*—In section 3 of the Parliament (Prevention of Disqualification) Act, 1959 (hereinafter referred to as the principal Act), in clause (i), for the words, brackets and

figures "and (ii) the office of chairman or secretary of any statutory or non-statutory body specified in Part II of the Schedule," the following shall be substituted, namely:—

“(ii) the office of chairman or secretary of any statutory or non-statutory body specified in Part II of the Schedule and (iii) the office of deputy chairman of the non-statutory body specified in Part III of the Schedule;”.

3. *Amendment of the Schedule.*—In the Schedule to the principal Act, after Part II, the following Part shall be added, namely:—

“Part III

Body under the Central Government

Planning Commission.”.

Law (Legal and Legislative Affairs) Department

Notification

10-2-92/LA

The Cess and Other Taxes on Minerals (Validation) Act, 1992 (Central Act 16 of 1992) which has been passed by Parliament and assented to by the President of India on 4-4-1992 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 4-4-1992, is hereby published for the general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 6th August, 1992.

The Cess and Other Taxes on Minerals (Validation) Act, 1992

AN

ACT

to validate the imposition and collection of cesses and certain other taxes on minerals under certain State laws.

Be it enacted by Parliament in the Forty-third Year of the Republic of India as follows:—

1. *Short title, extent and commencement.*—(1) This Act may be called the Cess and Other Taxes on Minerals (Validation) Act, 1992.

(2) It extends to the whole of India.

(3) It shall be deemed to have come into force on the 15th day of February, 1992.

2. *Validation of certain State laws and actions taken and things done thereunder.*—(1) The laws specified in the Schedule to this Act shall be, and shall be deemed always to have been, as valid as if the provisions contained therein relating to cesses or other taxes on minerals had been enacted by Parliament and such provisions shall be deemed to

have remained in force up to the 4th day of April, 1991.

(2) Notwithstanding any judgment, decree or order of any court, all actions taken, things done, rules made, notifications issued or purported to have been taken, done, made or issued and cesses or other taxes on minerals realised under any such laws shall be deemed to have been validly taken, done, made, issued or realised, as the case may be, as if this section had been in force at all material times when such actions were taken, things were done, rules were made, notifications were issued, or cesses or other taxes were realised, and no suit or other proceeding shall be maintained or continued in any court for the refund of the cesses or other taxes realised under any such laws.

(3) For the removal of doubts, it is hereby declared that nothing in sub-section (2) shall be construed as preventing any person from claiming refund of any cess or tax paid by him in excess of the amount due from him under any such laws.

3. *Repeal and savings.*—(1) The Cess and Other Taxes on Minerals (Validation) Ordinance, 1992 is hereby repealed.

Ord 7
of 1992.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act.

THE SCHEDULE

(See section 2)

1. Andhra Pradesh (Mineral Rights) Tax Act, 1975 (A. P. Act 14 of 1975).

2. The Andhra Pradesh (Andhra Area) District Boards Act, 1920.

3. The Andhra Pradesh (Telengana Area) District Boards Act, 1955.

4. The Cess Act, 1880 (Bengal Act 9 of 1880) as applicable in the State of Bihar.

5. The Karnataka Zilla Parishads, Taluk Panchayat Samitis, Mandal Panchayats and Nyaya Panchayats Act, 1983 (Karnataka Act 20 of 1985).

6. The Karnataka (Mineral Rights) Tax Act, 1984 (Karnataka Act 32 of 1984).

7. The Madhya Pradesh Karadhan Adhiniyam, 1982 (M. P. Act 15 of 1982).

8. The Madhya Pradesh Upkar Adhiniyam, 1981 (M. P. Act 1 of 1982).

9. The Maharashtra Zilla Parishads and Panchayats Samitis (Amendment and Validation) Act, 1981 (Maharashtra Act 46 of 1981).

10. The Orissa Cess Act, 1962 (Orissa Act II of 1962).

11. The Tamil Nadu Panchayat Act, 1958 (Tamil Nadu Act XXXV of 1958).

Notification

10-2-92/LA

The Copyright (Amendment) Act, 1992 (Central Act, 13 of 1992) which has been passed by Parliament and assented to by the President of India on 3-4-1992 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 3-4-1992, is hereby published for the general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 6th August, 1992.

The Copyright (Amendment) Act, 1992

AN

ACT

further to amend the Copyright Act, 1957.

Be it enacted by Parliament in the Forty-third Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Copyright (Amendment) Act, 1992.

(2) It shall be deemed to have come into force on the 28th day of December, 1991.

2. *Amendment of Chapter V.*—In Chapter V of the Copyright Act, 1957 (hereinafter referred to as the principal Act), for the words “fifty years” wherever they occur, the words “sixty years” 14 of 1957 shall be substituted.

3. *Copyright not to subsist if term has expired.*—For the removal of doubts, it is hereby declared that copyright shall not subsist by virtue of this Act in any work in which copyright did not subsist immediately before the commencement of this Act.

4. *Repeal and saving.*—(1) The Copyright (Amendment) Ordinance, 1991 is Ord. 9 of 1991 hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

Notification

10-2-92/LA

The Rajasthan Municipalities (Amendment) Ordinance, 1992 (No. 21 of 1992) which has been promulgated by the President of India and published

in the Gazette of India, Extraordinary, Part II, Section 1, dated 28-12-1992, is hereby published for the general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 18th January, 1993.

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 28th December, 1992
/Pausa 7, 1914 (Saka)

The Rajasthan Municipalities (Amendment) Ordinance, 1992
No. 21 of 1992

Promulgated by the President in the Forty-third Year of the Republic of India.

An Ordinance further to amend the Rajasthan Municipalities Act, 1959.

Whereas by a Proclamation issued on the 15th day of December, 1992 by the President under article 356 of the Constitution, the powers of the Legislature of the State of Rajasthan have been declared to be exercisable by or under the authority of Parliament.

And whereas Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by clause (1) of article 123 of the Constitution and of all other powers enabling him in that behalf, the President is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Rajasthan Municipalities (Amendment) Ordinance, 1992.

(2) It shall come into force at once.

2. *Amendment of section 23.*—In the proviso to sub-section (1) of section 23 of the Rajasthan Municipalities Act, 1959 38 of 1959 (hereinafter referred to as the principal Act), for the words “two years” occurring at the end, the words “three years” shall be substituted.

3. *Amendment of Section 293-A.*—In sub-section (1) of section 293-A of the principal Act, for the words “two years” at both the places where they occur, the words “three years” shall be substituted.

SHANKER DAYAL SHARMA,
President.

K. L. MOHANPURIA,
Secy. to the Govt. of India.